



March 24, 2015

EPA Region 10
Edward Kowalski
1200 6th Ave.
Seattle, WA 98101

Subject: Tru RX EPA Co. No. 89609 -- Illegal Misbranding & FIFRA violation

To Whom it May Concern,

We recently contacted you regarding the illegal Misbranding and FIFRA violation concerning TruRX, LLC and the use of the "Contains Statement" on their sub-registered/private labeled fipronil + s-methoprene combination under 3 brand names: PetAction™ Plus, PetLock™ Plus and PetWorks™ Plus. We would like to point out yet another instance where TruRX, LLC is deliberately ignoring EPA Guidelines.

The TruRX LLC, PetAction Plus product label (EPA Reg. No. 88052-13-89609), lists the EPA Establishment Number: 74720-DEU-01, which is Klocke in Germany. Klocke does not have the capabilities to overwrap a carton with the plastic clamshell that TruRX uses, which also carries the "Contains" sticker; therefore, this repackaging occurred at a different location.

Given that the "Contains" statement is a regulated EPA claim, when TruRX overwraps the carton with this plastic clamshell overwrap carrying the "Contains" statement, this would be considered relabeling and require an EPA Establishment with that EPA Establishment Number posted on the label.

According to 40 CFR 156.10(f): Only the establishment number of the last establishment at which a product is produced is required to be on the label. The EPA defines the EPA Establishment Number as: a number identifying the **final** physical location where the pesticide product was produced or labeled. We are of the belief that the product was most likely relabeled at MSL Packaging & Fulfillment (<http://msl-indy.com>) located in Indianapolis, IN, EPA Company Number 88969.

In accordance with FIFRA section 6, we are requesting that TruRX LLC be held accountable for their actions. By willfully disregarding EPA guidelines, TruRX and the master registrant Horizon should be subject to an immediate stop sale and recall and assessed fines at the Federal and State level for each incident, defined by shipment of each case/3-Dose Carton to distributors and dealers and each 3-Dose Carton sold by a Dealer/Retailer to an individual Pet Owner. Given the egregious nature of the violation, state regulators and the EPA should consider immediate registration cancellation.

You can find this product, available to ship to any state, on Amazon.com, Samclub.com or at a Sam's Club location near you.

If you would like to discuss further please contact me at Randy.Canady@CSELifeScience.com or (919) 610-1065. Thank you for your immediate attention to this matter.

Regards,

Randall V Canady
Chief Executive Officer
Promika, LLC

Enclosures

Cc: U.S. EPA Regional Offices
All State Agencies



Reference Documents Enclosed:

1. EPA Label Review Manual Chapter 14: Identification Numbers (Page 14-4; subject of multiple EPA Establishment Numbers)
2. Close up pictures of PETACTION Plus for Dogs packaging.